

John A. Masterson #5-2386
Alaina M. Stedillie #6-4327
Lewis Roca Rothgerber, LLP
123 W. 1st Street, Suite 200
Casper, WY 82601
307-232-0222
307-232-0077 fax
jmasterson@lrrlaw.com
astedillie@lrrlaw.com

William J. Carter ISB#5295 (*Pro Hac Vice*)
Dean & Carter, PLLC.
1112 Main Street, #302
Boise, Idaho 83702
Phone: (208) 489-6004
Fax: (208) 246-6363
carter1@dean-carterlaw.com

Counsel for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

TIMOTHY MELLON, a Wyoming resident,)
)
)
 Plaintiff,)
)
)
v.) Case No. 13 CV 118-S
)
)
THE INTERNATIONAL GROUP FOR)
HISTORIC AIRCRAFT RECOVERY, a)
Delaware non-profit corporation and)
RICHARD E. GILLESPIE,)
)
 Defendants.)

**DEFENDANT RICHARD GILLESPIE'S MOTION FOR SUMMARY JUDGMENT AS
TO CLAIMS AGAINST HIM AS INDIVIDUAL DEFENDANT**

COMES NOW Defendant Richard E. Gillespie ("Mr. Gillespie"), by and through his undersigned counsel, John A. Masterson and Alaina M. Stedillie of Lewis Roca Rothgerber, LLP, and William J. Carter of Dean & Carter, PLLC, and pursuant to U.S.D.C.L.R. 7.1(b)(2)(A) submits his *Motion for Summary Judgment as to Claims against him as Individual Defendant*.

Pursuant to Rule 7.1(b)(1)(A), U.S.D.C.L.R, Defendants, by and through their counsel of record, affirm that they have conferred with counsel for Plaintiff regarding this issue, directly via telephone, and they have been unable agree to its resolution.

In support of his *Motion*, Mr. Gillespie states and avers that there is no genuine issue of material fact in that the Plaintiff has failed to provide any evidence to prove his claims that Mr. Gillespie acted in his individual capacity as to the remaining claims of fraud and negligent misrepresentation, justifying a grant of summary judgment on all claims in Mr. Gillespie's favor.

IN SUPPORT OF THIS MOTION, Mr. Gillespie files concurrently herewith his *Memorandum*, which includes a statement of undisputed material facts. This document, along with its attachments, is incorporated herein by this reference.

WHEREFORE, Mr. Gillespie respectfully asks that this Court grant his *Motion for Summary Judgment as to Claims against Him as Individual Defendant*, enter a judgment as a matter of law in his favor and against Plaintiff, and grant any further and just relief as it deems proper.

DATED this 19th day of June, 2014.

RICHARD E. GILLESPIE,

By _____
John A. Masterson #5-2386
Alaina M. Stedillie #6-4327
Lewis Roca Rothgerber, LLP
123 W. 1st Street, Suite 200
Casper, WY 82601
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Fax: (208) 246-6363
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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June, 2014, a true and correct copy of the foregoing was electronically served upon all parties registered as CM/ECF users in this case via the Court's CM/ECF electronic mail service including the following:

Jeff Oven
Crowley Fleck PLLP
P.O. Box 2529
Billings MT 59103-2529
joven@crowleyfleck.com

Timothy Stubson
Crowley Fleck PLLP
152 N. Durbin, suite 220
Casper, WY 82601
tstubson@crowleyfleck.com

/s/

Lewis Roca Rothgerber, LLP